

The City Council of Plain City had a work session on Thursday, October 7, 2021, at City Hall beginning at 6:00 pm.

Present: Mayor Jon Beesley, Councilmembers Jed Jenkins, Rachael Beal, Buddy Sadler, Todd Skeen, Don Weston
Staff Present: Diane Hirschi, Melissa Miller
Also Present: David Brown, Glen Remy
Also Present on Zoom: Dan Schuler, Brandon Richards, Rob Ortega,

The purpose of the work meeting is to discuss the Telecommunications Ordinance and construction of an amphitheater. Mayor Beesley informed that fiber optic cable is being installed in Plain City. He turned time over to the owner of Connex Broadband, David Brown, for an update on the project. David Brown reported; about 500 homes in Plain City near the border with Farr West have been connected to their main line. He noted that approval of a ring to service the remainder of households is coming soon. He commented on underground infrastructure provisions. He spoke of installation phases for fiber-in-duct and the self-supporting aerial cable routes. He affirmed that proper notification procedures were followed by the company, prior to any work done affecting private property owners. He described the intended location of the service ring that will run through Plain City. He explained how aerial portions of the build are certified by Rocky Mountain Power. He estimated that the full installation will be completed within a year. Councilmember Beal mentioned Public Standards that require developers to provide an open conduit for fiber optic cable at every building lot and asked if Connex has been utilizing it for underground routing. David Brown indicated that conduit has been provided by his company, to this point. He acknowledged that he was not aware of the dedicated conduit arrangement. Mayor Beesley stated that the terms of the franchise agreement with Connex do not controvert the established Plain City Telecommunications Ordinance. He remarked on a recently implemented Public Works Standard that requires developers to provide an open, (underground) two-inch conduit to each building lot in all new subdivisions. He noted that the conduit will be dedicated to the City. He questioned the practicality of the requirement, as liability concerns have deterred Connex from using conduit that they don't exclusively control. Councilmember Beal reasoned that it would be unfair to give the exclusive right-of-use of a public utility duct to a single fiber optic company. Councilmember Sadler submitted that the Public Works Standard in question is sensible. He maintained that stipulated conduit will prove beneficial in the future. David Brown laid out an alternative micro-duct plan for shared-use of the conduit. He suggested that the current Telecommunications Ordinance and/or broadband plan be revised to allow for the provision. Franchise fee dynamics, including federal regulations for internet only companies were discussed. Councilmember Beal spoke of permitting parameters for use of the City's underground conduit. Councilmember Weston commented on the basic process of pulling fiber optic cable. Councilmember Jenkins remarked on the distinct expertise David Brown and his company offer. Mayor Beesley thanked David Brown for his valuable input.

He introduced Glen Remy and expressed appreciation for the printed information he distributed to councilmembers, prior to the meeting. He contemplated locating the proposed amphitheater on a plot of dedicated open space in the West Park Village subdivision. Councilmember Weston pointed to a spot on the west side of Lee Olsen Park that he envisioned would be a good spot for the arena. He spoke of inadequate parking conditions at other City parks. Mayor Beesley told of plans to move the outfield fence of a baseball field, adjacent to the mentioned location at Lee Olsen Park, which would allow more space for amphitheater patrons whilst bringing the diamond into compliance with official Little League Baseball standards. Councilmember Skeen indicated that a Lee Olsen Park venue would provide a more city-centralized setting than would the proposed West Park Village option. Councilmember Sadler suggested that grant petitions and other fund-raising efforts for the amphitheater should begin while a favorable location is being settled. Mayor Beesley requested that the addition of an amphitheater to the Capital Projects list be put on the agenda for the next City Council meeting. R.A.M.P. Grant procurement and management aspects were deliberated. Venue design fundamentals were considered. City Recorder, Diane Hirschi advised that the Recreation Director and Public Works Director should be consulted before a location for the amphitheater is determined. Mayor Beesley stated that a decision will be made on the location by the first City Council meeting in November.

The work meeting adjourned at 6:41 p.m.

Mayor

City Recorder

Date approved

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
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The City Council of Plain City convened in a regular meeting at City Hall on Thursday, October 7, 2021 also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Jed Jenkins, Rachael Beal, Buddy Sadler, Don Weston and Todd Skeen
Staff: Diane Hirschi, Melissa Miller
Present: Glen Remy, Lorin and Zanna Child, Dennis Wise, Jake Jones, Bryan Bayles, Blake Neil, Dennis Crezee
Also Present via Zoom: Brandon Richards, Dan Schuler, Rob Ortega

Call to Order: Mayor Beesley
Pledge of Allegiance: Councilmember Skeen
Invocation/Moment of Silence: Mayor Beesley

Approval of Minutes from September 16, 2021

Councilmember Jenkins moved to approve the minutes from the regular meeting on September 16, 2021 as presented. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public
None offered.

Report from Planning Commission

Commission Chair Blake Neil reported that the previous Planning Commission meeting was a training session with Attorney at Law and Executive Director of the Utah Land Use Institute, Craig Call. He previewed the agenda for the upcoming Planning Commission meeting. Commissioner Rob Ortega made mention of questions raised about rural road specifications on plans for the Wheatgrass Estates and Diamond E subdivisions, deemed acceptable by the City Engineer. Chairman Neil explained that updated comments from the City Engineer on both developments are pending.

Presentation: Recyclops – Recycling For Those Who Want It

Vice President of Sales for Recyclops, Dennis Wise AKA Coach Q referred to a printed brochure, distributed to councilmembers before the meeting. He stated that the company's mission is to provide access to affordable recycling to all, regardless of where people live. He defined Recyclops as a technology driven startup that innovates solutions for sustainability, starting with recycling. He asserted that recycling and sustainable options should be accessible to everyone and acknowledged that Recyclops aims to be as environmentally friendly as possible in everything they do. He advised that it's important that carbon footprints are reduced and the amount of effort it takes to recycle raw materials into new materials is a fraction of what it takes to make them all over again. He emphasized that material collected by Recyclops are never taken to general landfills or incinerations facilities. He described Recyclops operations and business model. He spoke of associations with local governments. City Recorder, Diane Hirschi requested subscription and contract information. Dennis Wise indicated that the company does not require a contract - the subscription is twelve dollars per month and can be started and stopped at any time. He informed that Recyclops also offers service to commercial businesses, churches and schools.

Discussion/Motion: Final Approval for West Park Phase 2

Mayor Beesley indicated that the City Engineer and City Attorney have reviewed updated information on a planned, second access into the development and have given their recommendation for Council approval. He asked Nilson Homes representative, Jake Jones, when a dedicated park for the development will be constructed. Jake Jones stated that the intent is to start building the park next spring. Public Works Director, Dan Schuler echoed the City Engineer and City Attorney's recommendation for approval of the subdivision. Councilmember Sadler reminded Mr. Jones that the aforementioned access road is strictly for egress/ingress and is not approved for development of lots along its periphery, as it will not be constructed to the City's standard for residential streets. **Councilmember Sadler moved to approve West Park Phase 2 with a stipulation that the second access road is not recognized as a standard street and will be used for ingress/egress purposes only, at this time. Councilmember Weston seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Fire Dept Purchase – Charger and Rechargeable Batteries - \$5,179.00

Plain City Fire Chief, Dennis Crezee explained that two of the eighteen new SCDA packs that were recently ordered by the Fire Department came with rechargeable batteries. He noted that the other packs require six C-size batteries. He also noted that the Department does not have a compatible charger for the rechargeable batteries that were provided. He reviewed bids for needed rechargeable batteries and a compatible charger. **Councilmember Jenkins moved to approve Fire Dept Purchase – Charger**

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and Rechargeable Batteries, up to \$5,500.00. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion: Fire Department Increase

Mayor Beesley outlined the budget amendment process. He reported that the City Attorney has reviewed the proposed Fire Department Increase. He remarked on a decline in staffing, of late. He reasoned that the current compensation schedule does not incentivize committed squad participation. He spoke of recent hiring efforts. Dennis Crezee gave a brief rundown of interview and testing protocols. Councilmember Weston calculated compensation for fire safety personnel under established salary terms. He contemplated alternative means of providing public safety in Plain City, surmising that increasing the budget in order to improve the existing system is the best option. Mayor Beesley pointed out that the proposed increase would essentially double the budget for the Fire Department. **Councilmember Weston moved to approve the Fire Department Increase: 75% prorated disbursement of the proposed \$182,500 - contingent upon the application of a personnel compensation schedule that is ranked, based on merit and experience. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Set Public Hearing for Marsh Annexation – Oct 21

Councilmember Beal moved to Set Public Hearing for Marsh Annexation – Oct 21, 2021. Councilmember Jenkins seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion: Approval of Flock Security Cameras

City Attorney, Brandon Richards joined the meeting by phone. He advised that the presented agreement is a two-year contract without cancellation terms. He noted that the registered address of the Flock company office is in Georgia. He considered complications related to an interstate obligation. Mayor Beesley proposed that Flock Safety amend the agreement to show a registered address in Utah. He reported another vehicle theft and willful or malicious damage to property that recently occurred in Plain City. He spoke of surveillance coordination with Weber County. **Councilmember Beal moved to approve the Flock Safety contract for Security Cameras, with an amended venue jurisdiction within Utah. Councilmember Sadler seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Motion: Approval of Business Licenses

New

Delta Omega Eng

Curtis Larson

1459 N 4250 W

research

Councilmember Beal moved to approve the business license as presented. Councilmember Jenkins seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Motion: Approval of Warrant Register

See warrant register dated 09/16/2021 and 09/30/2021. **Councilmember Jenkins moved to approve and pay the bills as presented. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Beal announced that there is an all-abilities park at Plain City Elementary School. She noted that the facility is only open to the public after school hours. She recommended that the Council consider building another all-abilities park in Plain City.

Councilmember Sadler reported information given at the Utah League of Cities and Towns (ULCT) Annual Convention concerning Missing Middle Housing. He explained that Missing Middle Housing is a range of house-scale buildings with multiple units—compatible in scale and form with detached single-family homes. He predicted that the state will mandate the incorporation of this type of unit in all municipalities, in coming days and suggested that an ordinance be drafted to regulate use and design standards. He contemplated municipal affordable housing mandates. He told of observed ordinance violations where Plain City residents are allowing family members to live in trailers parked next to their dwelling. He requested concerted code enforcement efforts to curb the prohibited condition.

Councilmember Weston reported efficient operations at the City Landfill. He proposed that the City purchase a barrel grinder for the Landfill. He reported street light problems at the corner of 1975 N 4435 W.

Councilmember Skeen relayed kudos from a citizen to the Public Works Department for maintaining the restroom facility at Lions Club Park with exceptional proficiency. He asked that the ATV ordinance be revisited at an upcoming City Council meeting.

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Mayor Beesley reported that he and three other Plain City elected officials helped serve lunch at the elementary school. He spoke of the enjoyable experience. He noted that he was invited to participate in half-time activities at the Fremont High School homecoming game. He remarked on topics discussed at this month's staff meeting. He announced plans for the Pumpkin Walk event, to be held October 22nd and 23rd. He indicated that the Cornhole League will have their tournaments in the Public Works Building throughout the winter.

At 8:28 p.m. Councilmember Sadler moved to adjourn and was seconded by Councilmember Weston seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved _____

Joe Marsch
3450 W 2200 N
Tax ID Number:
19-038-0016, 19-038-0085
19-038-0086, 19-038-0087
19-038-0088, 19-038-0092

ORDINANCE #

**AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY
OF PLAIN CITY A PARCEL OF LAND DECLARING ANNEXATION
THEREFORE AND THE EXTENSION OF THE CORPORATE
BOUNDARIES OF THE CITY OF PLAIN CITY**

Section 1. Recitals

WHEREAS, the owners of certain real property, described below, desire to annex such real property to the corporate limits of Plain City, Utah; and

WHEREAS, said real property is located within the area proposed for annexation and covers a majority of the private land area within the area proposed for annexation; and

WHEREAS, said real property is equal in value to at least one-third (1/3) of the value of all private real property within the area proposed for annexation; and

WHEREAS, said real property is a contiguous, unincorporated area contiguous to the boundaries of Plain City and the annexation thereof will not leave or create an unincorporated island or peninsula; and

WHEREAS, said property is developed and covers an area that is equivalent to less than five percent (5%) of the total land mass of all private real property within Plain City; and

WHEREAS, said owners have caused a Petition for Annexation to be filed with the city, together with an accurate plat of the real property which was made under the supervision of a competent, licensed surveyor; and

WHEREAS, on September 19, 2021, the Plain City Council received the required Notice of Certification from the City Recorder certifying that the annexation petition meets the requirements of State law; and

WHEREAS, the City Council published and mailed notice of the Certification, as required by law and no timely protests have been filed in accordance with the provisions of Section 10-2-407, Utah Code Annotated, 1953, as amended; and

WHEREAS, the City Council held the required public hearing after giving notice as required by law, and has determined the referenced annexation is desirable;

NOW THEREFORE, pursuant to Section 10-2-407, Utah Code Annotated 1953, as amended, the City Council of Plain City, Utah hereby adopts, passes and publishes the following:

**AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP, ANNEXING
CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS
OF PLAIN CITY, UTAH.**

THEREFORE, BE IT ORDAINED by the City of PLAIN CITY as follows:

Section 2. Annexation of Territory

There is hereby annexed to the City of Plain City, County of Weber, State of Utah, and incorporated within the corporate boundaries thereof, the following territory herein described:

19-038-0080

Section 3 – New Corporate Limits.

The corporate limits of the City of Plain City are hereby extended and increased so as to include and embrace within the corporate limits of the City, the territory described herein and such territory is hereby declared to be a part of the City of Plain City.

Section 4 – Classification for Zoning Purposes.

Pursuant to Chapter 8 of the Plain City Municipal Code, the territory herein annexed is classified as A-1.

Section 5 – Accuracy of Map and Annexed Territory.

The map or plat attached to this Ordinance is an accurate map of the territory annexed and such map is hereby adopted as the official map of the territory annexed, and the Mayor of the City of Plain City, is hereby authorized and directed to certify the map as an accurate map of the territory annexed under the provisions of this Ordinance, and to record in the Office of the Weber County Recorder, State of Utah, this Ordinance, together with a certified copy of the official map attached.

Section 6. Prior Ordinances And Resolutions

The body and substance of any and all prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are hereby reaffirmed and readopted.

Section 7. Repealer Of Conflicting Enactments

All orders, ordinances and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance Amendment, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 8 - Savings Clause

If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of Plain City.

Section 8 - Date Of Effect

This Ordinance shall be effective on the ____ day of _____ 2021, and after publication or posting as required by law.

DATED this ____ day of _____, 2021.

PLAIN CITY, a municipal corporation

MAYOR

ATTEST:

CITY RECORDER



Weber County Planning Division

October 1, 2021

Diane Hirschi
4160 W 2200 N St
Plain City, UT 84404

Diane,

The Weber County Planning Division has received Plain City's notice regarding the annexation of six parcels (19-038-0016, 19-038-0085, 19-038-0086, 19-038-0087, 19-038-0088, 19-038-0092) of land belonging to Joe Marsh located at approximately 3450 W 2200 N.

The County does not protest the annexation, provided the annexation into Plain City includes all other property west and south of this property, so that no islands of unincorporated area are left adjacent to these properties.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Grover', written over a horizontal line.

Rick Grover
Weber County Planning Director



2023 W. 1300 N.
Farr West, UT 84404
(801) 782-3580
Fax (801) 782-3582

Board of Trustees

Kevin Ward
Matthew Gwynn
Jim Truett
Sharon Bolos
Kerry Gibson
Michael Hancock
Val Heiner
Brad Ostler
Scott VanLeeuwen

September 21, 2021

To: Diane Hirschi, Plain City Recorder

RE: Annexation of property at 3450 W 2200 N:

Dear Ms. Hirschi;

Weber Fire District has no objection to the annexation or withdrawal from the District of the above referenced property. However, the District does have a property taxing interest on all parcels. The District's General Obligation Refunding Bonds, Series 2015 originated on November 8, 2005 by election as the General Obligation Bonds, Series 2006 and continues for 20 years until August of 2025.

As per UCA 17B-1-511 we are entitled to taxation per bond on above referenced properties until payment is satisfied.

If you have any questions, please call me at (801)782-3580, ext. 202.

Sincerely,

Paul Sullivan
Fire Chief / Administrator
Weber Fire District

cc: City Recorder,
Leann Kilts, Weber County Recorder
John Ulibarri, Weber County Assessor
Ricky Hatch, Weber County Clerk/Auditor
Weber County Boundary Commission
File

Chief, Paul Sullivan - Fire Marshal, David Reed

NOTICE OF DECISION

Plain City, Weber County, Utah

On October 14, 20 21, the Plain City Planning Commission recommends
☒ Approval, ☐ *Approval with condition(s), ☐ Disapproval, ☐ Tabled
of an application for Subdivision Amendment – KH Gibson Estates (Second Amendment),
received from (Applicant): Ken and Heidi Gibson

This Notice of Decision formally concludes the Planning Commission's involvement with the application for the above-mentioned land use case. Copies of the Order are available at City Hall.

Applications that have been deemed complete and have not been pursued with reasonable diligence before the appropriate board shall expire after six (6) months. The applicant will have to submit a new application and fees to restart the process, subject to all new zoning restrictions and subdivision regulations then in existence. Any party of record may appeal this decision to the City Council within 10 days of the Order approval date.

City Official

*Condition(s)/Notes:

Commissioner Faulkner motioned to recommend City Council approval of the Subdivision Amendment – KH Gibson Estates (Second Amendment) conditional upon the insertion of utility locations on the final plat.

Commissioner Jenkins seconded the motion. Vote: Commissioners Maw, Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.



Memorandum

To: Mike Kerswell, Land Use Specialist
Plain City Corporation

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

Date: October 7, 2021

Subject: **KH Gibson Estates 2nd Amendment, Plan Review**

We have reviewed the KH Gibson Estates 2nd Amendment and have the following comments:

1. The plat does not show utilities, however service laterals (culinary water, sanitary sewer) that currently serve the existing home should not cross the property lines being created for the new lot.
2. The address for the new lot is 2972 North 3475 West.

If you have any questions or require additional information, feel free to call.

APPLICATION FOR
AMENDMENT TO A SUBDIVISION

Subdivision Name K H Gibson Estates zone R-20 Date Submitted 7 Sept 2021
Address of Subdivision 2980 N. 3475 W. Plain City, UT
No. of Units or Lots being affected by the amendment: 1
Owner Name Ken + Heidi Gibson Full Address 2980 N. 3475 W. Plain City UT 84404
Phone # 801-391-8547 Cell # same Fax # —
Subdivider's Name same as above Full Address —
Phone # same as above Cell # — Fax # —

Please describe any agreements, rights-of-way, easements etc. which could affect this amendments:

N/A

Describe the amendment to the subdivision plat:

1/2 acre lot (20,038 sf .46 acre)

The above information is true and accurate to the best of my knowledge.

7 Sept 2021
Date

Heidi D. Gibson
Signature

Office Use Only

Subdivision Amendment Fee: \$200.00
Number of Copies: —

PC Approval Date: —
CC Approval Date: —

pd. 9/7/2021

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH)
) ss
COUNTY OF WEBER)

I (we), Heidi H. Gibson, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I also acknowledge that I have received written instructions regarding the process for which I am applying and the Plain City Planning staff has indicated they are available to assist me in making this application.

Heidi H. Gibson
(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____, 20____.

(Notary)
Residing in Weber County, Utah

My commission expires: _____

AGENT AUTHORIZATION

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Agent)

(Property Owner)

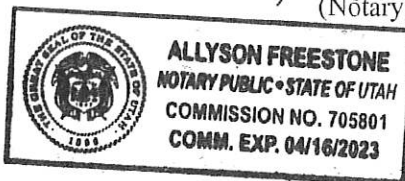
Dated this 7 day of September, 2021, personally appeared before me

Heidi Gibson, the signer(s) of the above agent authorization who duly acknowledged to me that they executed the same.

Allyson Freestone
(Notary)

Residing in Weber County, Utah

My commission expires: 4-16-2023



FINAL PLAT OF

[illegible]

SIGNED THIS _____ DAY OF _____

 MATT PRETL P.L.S.
 UTAH LAND SURVEYOR LICENCE NO. 10437985

[illegible]

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SURVEYED AND AMENDED BY THE CITY OF PHOENIX, IN AND TO THE SAID CITY, HAVE HEREBY AGREED TO AND HAVE CAUSED TO BE RECORDED IN THE OFFICE OF THE CITY CLERK, GRANT AND CONVEY, IN PERPETUITY, PURSUANT TO THE PROVISIONS OF 17-324-190, 17-324-191, 17-324-192, 17-324-193, 17-324-194, 17-324-195, 17-324-196, 17-324-197, 17-324-198, 17-324-199, 17-324-200, 17-324-201, 17-324-202, 17-324-203, 17-324-204, 17-324-205, 17-324-206, 17-324-207, 17-324-208, 17-324-209, 17-324-210, 17-324-211, 17-324-212, 17-324-213, 17-324-214, 17-324-215, 17-324-216, 17-324-217, 17-324-218, 17-324-219, 17-324-220, 17-324-221, 17-324-222, 17-324-223, 17-324-224, 17-324-225, 17-324-226, 17-324-227, 17-324-228, 17-324-229, 17-324-230, 17-324-231, 17-324-232, 17-324-233, 17-324-234, 17-324-235, 17-324-236, 17-324-237, 17-324-238, 17-324-239, 17-324-240, 17-324-241, 17-324-242, 17-324-243, 17-324-244, 17-324-245, 17-324-246, 17-324-247, 17-324-248, 17-324-249, 17-324-250, 17-324-251, 17-324-252, 17-324-253, 17-324-254, 17-324-255, 17-324-256, 17-324-257, 17-324-258, 17-324-259, 17-324-260, 17-324-261, 17-324-262, 17-324-263, 17-324-264, 17-324-265, 17-324-266, 17-324-267, 17-324-268, 17-324-269, 17-324-270, 17-324-271, 17-324-272, 17-324-273, 17-324-274, 17-324-275, 17-324-276, 17-324-277, 17-324-278, 17-324-279, 17-324-280, 17-324-281, 17-324-282, 17-324-283, 17-324-284, 17-324-285, 17-324-286, 17-324-287, 17-324-288, 17-324-289, 17-324-290, 17-324-291, 17-324-292, 17-324-293, 17-324-294, 17-324-295, 17-324-296, 17-324-297, 17-324-298, 17-324-299, 17-324-300, 17-324-301, 17-324-302, 17-324-303, 17-324-304, 17-324-305, 17-324-306, 17-324-307, 17-324-308, 17-324-309, 17-324-310, 17-324-311, 17-324-312, 17-324-313, 17-324-314, 17-324-315, 17-324-316, 17-324-317, 17-324-318, 17-324-319, 17-324-320, 17-324-321, 17-324-322, 17-324-323, 17-324-324, 17-324-325, 17-324-326, 17-324-327, 17-324-328, 17-324-329, 17-324-330, 17-324-331, 17-324-332, 17-324-333, 17-324-334, 17-324-335, 17-324-336, 17-324-337, 17-324-338, 17-324-339, 17-324-340, 17-324-341, 17-324-342, 17-324-343, 17-324-344, 17-324-345, 17-324-346, 17-324-347, 17-324-348, 17-324-349, 17-324-350, 17-324-351, 17-324-352, 17-324-353, 17-324-354, 17-324-355, 17-324-356, 17-324-357, 17-324-358, 17-324-359, 17-324-360, 17-324-361, 17-324-362, 17-324-363, 17-324-364, 17-324-365, 17-324-366, 17-324-367, 17-324-368, 17-324-369, 17-324-370, 17-324-371, 17-324-372, 17-324-373, 17-324-374, 17-324-375, 17-324-376, 17-324-377, 17-324-378, 17-324-379, 17-324-380, 17-324-381, 17-324-382, 17-324-383, 17-324-384, 17-324-385, 17-324-386, 17-324-387, 17-324-388, 17-324-389, 17-324-390, 17-324-391, 17-324-392, 17-324-393, 17-324-394, 17-324-395, 17-324-396, 17-324-397, 17-324-398, 17-324-399, 17-324-400, 17-324-401, 17-324-402, 17-324-403, 17-324-404, 17-324-405, 17-324-406, 17-324-407, 17-324-408, 17-324-409, 17-324-410, 17-324-411, 17-324-412, 17-324-413, 17-324-414, 17-324-415, 17-324-416, 17-324-417, 17-324-418, 17-324-419, 17-324-420, 17-324-421, 17-324-422, 17-324-423, 17-324-424, 17-324-425, 17-324-426, 17-324-427, 17-324-428, 17-324-429, 17-324-430, 17-324-431, 17-324-432, 17-324-433, 17-324-434, 17-324-435, 17-324-436, 17-324-437, 17-324-438, 17-324-439, 17-324-440, 17-324-441, 17-324-442, 17-324-443, 17-324-444, 17-324-445, 17-324-446, 17-324-447, 17-324-448, 17-324-449, 17-324-450, 17-324-451, 17-324-452, 17-324-453, 17-324-454, 17-324-455, 17-324-456, 17-324-457, 17-324-458, 17-324-459, 17-324-460, 17-324-461, 17-324-462, 17-324-463, 17-324-464, 17-324-465, 17-324-466, 17-324-467, 17-324-468, 17-324-469, 17-324-470, 17-324-471, 17-324-472, 17-324-473, 17-324-474, 17-324-475, 17-324-476, 17-324-477, 17-324-478, 17-324-479, 17-324-480, 17-324-481, 17-324-482, 17-324-483, 17-324-484, 17-324-485, 17-324-486, 17-324-487, 17-324-488, 17-324-489, 17-324-490, 17-324-491, 17-324-492, 17-324-493, 17-324-494, 17-324-495, 17-324-496, 17-324-497, 17-324-498, 17-324-499, 17-324-500, 17-324-501, 17-324-502, 17-324-503, 17-324-504, 17-324-505, 17-324-506, 17-324-507, 17-324-508, 17-324-509, 17-324-510, 17-324-511, 17-324-512, 17-324-513, 17-324-514, 17-324-515, 17-324-516, 17-324-517, 17-324-518, 17-324-519, 17-324-520, 17-324-521, 17-3

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH THE LINES AND MONUMENTS ON RECORD IN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH. SIGNED THIS _____ DAY OF _____, 2021.

PLAIN CITY SETBACKS

R-20 ZONE: MAIN STRUCTURE
FRONT: 30 FEET
SIDES: 10' MIN., 24' MIN. COMBINED TOTAL
REAR: 30 FEET

PLAIN CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS PLAT AND DEDICATION OF
THIS PLAT WERE DULY APPROVED AND ACCEPTED BY THE
PLAIN CITY COUNCIL

BY: _____ MAYOR: _____ ATTEST: _____

PLAIN CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THE PLAT AND THAT IT IS CORRECT IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

CITY ENGINEER _____ DATE _____

PLAIN CITY ATTORNEY

I CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO THE APPROVAL BY THE ATTORNEY OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH.

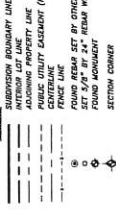
SIGNATURE

WEBER COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
_____ FILED FOR RECORD AND
RECORDED _____
_____ IN BOOK _____ OF OFFICIAL
RECORDS, PAGE _____ RECORDED
FOR _____

_____ COUNTY RECORDER

BY: _____ DEPUTY



NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO AMEND AND SUBDIVIDE LOT 2, KH GIBSON ESTATES SUBDIVISION FIRST ALLEMANNY, MID TOW (2) DESCRIBED HEREIN. THIS SURVEY WAS ORDERED BY KEN GIBSON, THE CONTROL USED TO ESTABLISH THE PROPERTY CORNERS WAS THE EXISTING TOWNSHIP 7 NORTH, RANGE 2 WEST, S.E.B.M. THE EXISTING TOWNSHIP 7 NORTH, RANGE 2 WEST, S.E.B.M. THE BASIS OF THIS WAS THE EAST LINE OF TOWNSHIP 7 NORTH, RANGE 2 WEST, TOWNSHIP 7 NORTH, STATE PLANE, CALCULATED D.A.04.3 BEARING.

WATER COUNTY SUPERVISOR

NOTICE OF DECISION

Plain City, Weber County, Utah

On October 14, 20 21, the Plain City Planning Commission recommends
☒ Approval, ☐ *Approval with condition(s), ☐ Disapproval, ☐ Tabled
of an application for Wheatgrass Estates Subdivision – Approx. 3875 W 2800 N,
received from (Applicant): SD Development, LLC

This Notice of Decision formally concludes the Planning Commission’s involvement with the application for the above-mentioned land use case. Copies of the Order are available at City Hall.
Applications that have been deemed complete and have not been pursued with reasonable diligence before the appropriate board shall expire after six (6) months. The applicant will have to submit a new application and fees to restart the process, subject to all new zoning restrictions and subdivision regulations then in existence. Any party of record may appeal this decision to the City Council within 10 days of the Order approval date.

City Official

*Condition(s)/Notes:
Commissioner Maw motioned to recommend City Council approval of the Wheatgrass Estates Subdivision –
Approximately 3875 W 2800 N. Commissioner Jenkins seconded the motion. Vote: Commissioners Maw,
Faulkner, Jenkins, Ortega and Chairman Neil voted aye. Motion carried.

APPLICATION FOR A PLAIN CITY SUBDIVISION

Subdivision Name Wheat Grass Estates Zone RA20 Date Submitted 8-

Address of Subdivision 3875 W. 2800 N. Plain City, UT No. of Units or Lots 8

List all Parcel Numbers included in development: 19-024-0074 19-024-0075

Owner Name SD Development LLC Full Address 3515 W. 2200 N. Plaincity

Phone # 801-698-6283 Cell # same Email sdiamond@bankofatal.com

Subdivider's Name Steve Diamond Full Address 3515 W. 2200 N. Plaincity

Phone # _____ Cell # 801-698-6283 Email sdiamond@bankofatal.com

Name of Intended Escrow Holder Bank of atal Address 2605 Washington Ave or L

Contact Name Tiffany Phone # 801-409-5067 Email _____

Surveyor's Name Gardner Engineering Address 5150 S. 7750 E Phone # 801-476-0202

Engineer's Name Gardner Engineering Address _____ Phone # 801-476-0202

Have all property taxes, interests and penalties been paid? yes (no approval given until paid in full.) UCA 10-9a-603(3)

Secondary Water Available? yes Contact Plamcity Phone # 801-621-6555

Secondary Water System in Place? yes Type Pressure Phone # _____

Culinary Water Available? yes Type Bona Vista Phone # 801-621-0474

Sewer Connection Available? yes Contact Plamcity Type Gravity

Is Property in a Flood Hazard Area? no Flood Zone X Lowest Elevation 4240'

Access Road above 4215' Elevation? yes 42 Source Rayman / NAD83


Please describe any agreements, rights-of-way, easements etc, which could affect this site: (Use other side if needed)

none

Describe history of parcel being subdivided, approximate dates and acreage of past land divisions: (Use other side if needed)

Approx 5 Acres Camery Farm land

The above information is true and accurate to the best of my knowledge.

Date 8-23-21 Signature 

Office Use Only

Subdivision Filing Fee: _____
Subdivision Engineering Fee: _____
Number of Copies: _____

PC Preliminary Approval Date: _____
PC Final Approval Date: _____
CC Final Approval Date: _____

AFFIDAVIT

PROPERTY OWNER

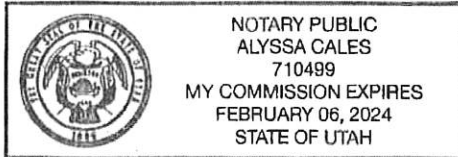
STATE OF UTAH)
) ss
COUNTY OF WEBER)

I (we), 50 Development LLC, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I also acknowledge that I have received written instructions regarding the process for which I am applying and the Plain City Planning staff has indicated they are available to assist me in making this application.

50 Development LLC Mary Stem Diamond
(Property Owner)

[Signature]
(Property Owner)

Subscribed and sworn to me this 23rd day of August, 20 21.



[Signature]
(Notary)
Residing in Weber County, Utah

My commission expires: 2/6/2024

AGENT AUTHORIZATION

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Agent)

(Property Owner)

Dated this _____ day of _____, 20_____, personally appeared before me

_____, the signer(s) of the above agent authorization who duly acknowledged to me that they executed the same.

(Notary)

Residing in Weber County, Utah

My commission expires: _____



Memorandum

To: Mike Kerswell, Land Use Specialist
Plain City Corporation

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

Date: October 7, 2021

Subject: **Wheatgrass Subdivision, Plan Review**

We have reviewed the preliminary and final plans for the Wheatgrass Subdivision. Following our review, we recommend approval be granted for this development. If you have any questions or require additional information, feel free to call.

ORDINANCE # 2021-____

**AN ORDINANCE OF PLAIN CITY, UTAH AMENDING TITLE 6 OF THE
PLAIN CITY CODE; AND ESTABLISHING AN EFFECTIVE DATE**

Section 1. Recitals

WHEREAS, The City Council finds, that the City of PLAIN CITY (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 10-3-717, the governing body of the city may exercise all administrative powers; and

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 10-3-702, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control, or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and

WHEREAS, the City Council finds that the public health, welfare and safety are at issue in this matter; now,

NOW THEREFORE, BE IT ORDAINED by the City of PLAIN CITY as follows:

Section 2. Title 6 Ordinance Amended.

TITLE 6 AMENDMENTS

The following amendment is made to Title 6 Motor Vehicles and Traffic:

6-1-3: PARKING REGULATIONS:

A. Signs; Erection: The City Council may authorize or direct any person employed by the City to erect or install any sign or traffic control device required to enforce the provisions of this section.

B. Parking In Violation Prohibited: It shall be ~~a Class B misdemeanor~~ an infraction for any person, except physicians on emergency calls or designated emergency vehicles when properly marked or posted, to park any motor vehicle on any street in violation of posted restrictions for that street or except when necessary to avoid interference with other traffic or in compliance with the directions of a policeman or traffic control device.

C. Parking Or Blocking Streets Or Highways: In addition to the parking provisions contained in the Utah Traffic Code, as adopted by this City, it shall be unlawful for any person to:

1. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon.

2. Willfully remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer.

3. Willfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway.

4. It shall be unlawful for the owner of a motor vehicle, trailer or boat, to park the vehicle for sale on a public street or highway for more than seventy two (72) hours.

5. Any vehicle, trailer, farm equipment or boat parked in violation of this subsection is declared to be a public nuisance. If a notice of violation has been placed upon such vehicle, trailer, farm equipment or boat and it is not removed within twelve (12) hours thereafter, or if two (2) or more notices of violation have been placed on the same vehicle, trailer, farm equipment or boat within the last thirty (30) days, the vehicle, trailer, farm equipment or boat shall be impounded as a nuisance. The vehicle, trailer, farm equipment or boat shall be released to the owner or responsible party only after the law enforcement agency of the City has received a receipt for the same acknowledging responsibility of that person for the item being unlawfully parked.

6. A separate violation occurs each day a vehicle, trailer, farm equipment or boat is parked contrary to the provisions of this subsection.

D. Specific Prohibited Parking; Permit:

1. Recreational Type Vehicles: It shall be unlawful for any person to park or leave standing at any time, on any public road, street, alley or City property any unattached trailer of any type whether for the occupancy of people, storage of items, or for towing purposes, and whether the same be loaded or not, any boat on an unattached trailer or otherwise, or camper not mounted on a vehicle, any motor home or mini-motor home of any length, and any combination of a pulling or towing vehicle with an attached trailer whether loaded or not; provided, however, that it shall be lawful to park such a combination or a motor home that is being loaded or is ready for departure for a period not to exceed thirty six (36) hours.

2. Gross Vehicle Weight: Except as provided above, as regards recreational vehicles, it is further unlawful and an infraction to park in or on any such area, City street, or public parking facility at any time, any vehicle or motor vehicle having a registered gross weight capability of twenty six thousand (26,000) pounds or more. An exception can be made for unloading and loading vehicles, not to exceed twelve (12) hours.

3. Time Limited: It shall further be unlawful for any person to park or leave standing on any public road, street, alley or City property any motor vehicle for forty eight (48) or more consecutive hours, and any vehicle so parked or left standing may be impounded or removed by the law enforcement authority. For purposes of impoundment and removal, the law enforcement authority may, after making a reasonable effort to locate the owner, impound and remove any motor vehicle which has been unmoved for forty eight (48)

consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle.

4. Special Permit: For good cause shown and upon application to and receipt of a special permit from the Police Department, a person may receive a temporary permit to park a vehicle otherwise prohibited for a period of three (3) days and nights.

5. Parking Prohibited:

a. It shall be unlawful to park a vehicle or permit such vehicle to remain parked upon any street, part of a street or roadway, when signs or traffic markings are erected by the City which give notice that parking is prohibited.

b. When signs or traffic markings are erected or placed by direction of the City, no person shall park a vehicle or permit said vehicle to remain standing during the hours and days specified by such signs and markings upon any street, parts of a street, or roadway.

E. Loading Zone: When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.

F. Alleys: No person shall park a motor vehicle within an alley in such manner or under such conditions as to leave less than ten feet (10') of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

G. Fire Hydrant: It shall be unlawful to stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger within five feet (5') of a fire hydrant.

H. Snow Removal:

1. Prohibited: From November 1st of each year to March 15th of the following year, the following regulations shall apply:

a. It shall be unlawful for any person who owns or has possession, custody or control of any vehicle, farm equipment or other object to park or place such item or property upon or in any street of the City with or without curb between the hours of one o'clock (1:00) A.M. and five o'clock (5:00) A.M.

b. No person who owns or has possession, custody or control of any vehicle, farm equipment or other objects shall park or place such items or property upon any street of the City with or without curb when the removal of snow from the streets is necessary, apparent or imminent and forty eight (48) hours after a snow event.

c. It shall be unlawful for the owner or operator of said items listed in subsection H1b of this section to allow such items to remain standing upon any public street for longer than forty eight (48) hours after said items have become snowbound due to snowplows plowing around said items. Such items shall be presumed to be abandoned. Abandoned items shall be subject to removal and impounded.

d. Notwithstanding the foregoing, this subsection shall not apply to physicians or other authorized emergency personnel acting in the course and scope of their duties.

e. Any vehicle, item or property parked in violation of this subsection is hereby declared a public nuisance.

f. Any person violating any provision of this section is guilty of an infraction and upon conviction shall be punished according to the law.

2. Impounding Vehicle: The police or snow removal crews are hereby authorized to order the impounding of any vehicle that is parked in violation of this subsection. (Ord. 2019-03, 1-3-2019, eff. 1-4-2019)

6-1-4: PENALTY:

Unless otherwise provided herein, violation of any part of this chapter shall be a ~~Class B misdemeanor~~ an infraction. (Ord. 2003-09, 11-6-2003, eff. 11-6-2003)

Section 3. **Prior Ordinances And Resolutions** The body and substance of any and all prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are hereby reaffirmed and readopted.

Section 4. **Repealer Of Conflicting Enactments** All orders, ordinances and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance Amendment, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 5. **Savings Clause** If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of Plain City.

Section 6. **Date Of Effect** This Ordinance shall be effective on the ____ day of _____ 2021, and after publication or posting as required by law.

DATED this ____st day of _____, 2021

PLAIN CITY, a municipal corporation

MAYOR – Jon Beesley

ATTESTED AND RECORDED: _____

Diane Hirschi, CMC
CITY RECORDER

ORDINANCE NO. _____

**AN ORDINANCE OF PLAIN CITY, UTAH AMENDING TITLE 6,
OF THE PLAIN CITY CODE; AND ESTABLISHING
AN EFFECTIVE DATE**

Section 1. Recitals

WHEREAS, The City Council finds, that the City of PLAIN CITY (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 10-3-717, the governing body of the city may exercise all administrative powers; and

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 10-3-702, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control, or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and

WHEREAS, the City Council finds that the public health, welfare and safety are at issue in this matter; now,

NOW THEREFORE, BE IT ORDAINED by the City of PLAIN CITY as follows:

Section 2. Title 6 Ordinance Amended.

**TITLE 6
MOTOR VEHICLES AND TRAFFIC**

Chapter 3

OFF HIGHWAY VEHICLES ON PLAIN CITY STREETS

SECTION:

- 6-3-1: Vehicle Operation
- 6-3-2: Age Limitations
- 6-3-3: Protective Headgear Requirements
- 6-3-4: Speed and other Regulations
- 6-3-5: State Highway 134
- 6-3-6: Penalties and Fines

6-3-1: VEHICLE OPERATION:

- a. Currently registered Off Highway Vehicles, (OHVs) meaning ATVs and UTVs, or side-by-sides, as they are called, may be operated on all city streets, and the same are hereby designated as open to such off-highway vehicle use.
- b. The headlights on the off-highway vehicle will be on at all times when operating on Plain City Streets.
- c. ~~All off highway vehicles will have current liability insurance and must be in the person's immediate possession.~~

- d. Prior to using any off-highway vehicles under this chapter, the owner must obtain a sticker from the city office that is valid for two years and shall cost up to ten dollars, indicating:
 - a. Proof of liability insurance, and
 - b. An affidavit signed by the owner that the stock muffler hasn't been altered and verification that a map has been provided to the owner indicating limitations on off highway use.
- e. Operation of two-stroke vehicles are prohibited on Plain City streets.
- f. An off-road motorcycle (dirt bike), is not considered an ATV or UTV, and therefore not legal for operation on Plain City streets.

6-3-2: AGE LIMITATIONS:

- a. A person must be a minimum of sixteen (16) years of age or older, and possess a valid driver's license, which must be in the person's immediate possession to operate an off-highway vehicle under this chapter.
- b. No school age person whether enrolled in a public school, home school or charter school may operate an off-highway vehicle during regular school hours.
- c. A Parks and Recreation Safety Certificate is not valid for operation of an off-highway vehicle on Plain City streets.
- d. The requirements of this section do not apply to off highway vehicles used as implements of animal husbandry.

6-3-3: PROTECTIVE HEADGEAR REQUIREMENTS:

- a. A person under eighteen (18) years of age will wear a properly fitted and fastened U.S. Department of Transportation safety rated helmet unless the off-highway vehicle has a seatbelt and a roll cage.

6-3-4: SPEED AND OTHER REGULATIONS:

- a. Off highway vehicles will be operated in accordance with all applicable laws and regulations including posted traffic and speed limit requirements. Those applicable laws and their associated penalties and fines apply to this chapter.
- b. An off-highway vehicle will not be operated on any street with a posted speed limit higher than forty (40) miles per hour.
- c. No liability shall be imposed on the city relating to the designation or maintenance of any street open to off highway use.

6-3-5: STATE HIGHWAY 134:

- a. State Highway 134 is 2600 N., entering Plain City on the east side of the city. At the stop sign on 4200 W., it turns south to 2575 N., then W. on 2575 N. to 4350 W. Going S. on 4350 W. to the stop sign on 2200 N. The highway then turns right and goes W. to 4650 W., turns S., past Freemont High School and follows 4700 W. out of Plain City.
- b. Unless the off highway vehicle is street legal, it is unlawful to operate on State Highway 134, except when crossing the highway, in which case, the operator must

come to a complete stop before crossing, yield right of way to oncoming traffic, and cross at a right angle pursuant to Utah State Code 41-22-10.3.

6-3-6: **PENALTY:** An offense under this chapter, not covered by any other state statute, is designated as an infraction and punishable with a fine in the amount of \$50.

Section 3. **Prior Ordinances And Resolutions** The body and substance of any and all prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are hereby reaffirmed and readopted.

Section 4. **Repealer Of Conflicting Enactments** All orders, ordinances and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance Amendment, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 5. **Savings Clause** If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of Plain City.

Section 6. **Date Of Effect** This Ordinance shall be effective on the 16th day of April 2020, and after publication or posting as required by law.

DATED this ____ day of _____, 2021

PLAIN CITY, a municipal corporation

MAYOR – Jon Beesley

ATTESTED AND RECORDED:

Diane Hirschi, CMC
CITY RECORDER